

AMENDED
APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office MAR 03 2006
Returned to applicant for correction MAR 22 2006
Corrected application filed MAY 16 2006
Map filed MAY 16 2006

The applicant **Elko County** hereby makes application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated.

1. The source of the proposed appropriation is **Underground Sources**
2. The amount of water applied for is **3.0 cfs – 2,000 acre feet per year** second-feet
 - (a) If stored in reservoir give number of acre-feet
3. The water to be used for **Municipal and Domestic Purposes**
4. If use is for:
 - (a) Irrigation, state number of acres to be irrigated
 - (b) Stockwater, state number and kinds of animals to be watered
 - (c) Other use (describe fully under No. 12. "Remarks")
 - (d) Power:
 - (1) Horsepower developed
 - (2) Point of return of water to stream
5. The water is to be diverted from its source at the following point **73959 w/in NE¼ SE¼ Section 29 T33N, R52E, MDM, or at a point from which the W¼ corner of said Section 29, bears N 84 degrees 10 minutes 12 seconds W, a distance of 4,852.86 feet w/in Marys Creek Basin No. 52**
6. Place of Use **All of Sections 1 through 36, T32N, R52E & R53E MDM; All of Sections 1 through 36 T33N, R52E & R53E MDM; Carlin, Nevada and vicinity**
7. Use will begin about **January 1** and end about **December 31** of each year.
8. Description of proposed works **Drilled and cased well, equipped with motor, pump, totalizing meter and pipeline to place of use**
9. Estimated cost of works **\$100,000.00**
10. Estimated time required to construct works **10 years**

No. 73959

11. Estimated time required to complete the application of water to beneficial use **20 years**

12. Remarks: **This application is being filed to provide municipal water supplies based on current and future growth within Elko County, Nevada.**

By **s/Michael D Buschelman
Michael D. Buschelman
Post Office Box 51371
Sparks, Nevada 89435**

Compared sg/ag

Protested 7-24-2006 by Maggie Creek Ranch; 7-24-06 by Boyd Ranch; 7-25-2006 by Coni D. Steward & Sandi Davis; 7-26-06 by Dorsey Land LLC; 7-28-06 by Doyle Tow

DENIAL OF STATE ENGINEER

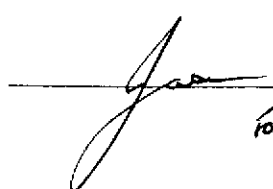
This application is hereby denied on the grounds that the granting thereof would adversely affect existing rights and thereby threaten to prove detrimental to the public interest.

IN TESTIMONY WHEREOF, I, TRACY TAYLOR, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 8th day of May, A.D. 2009

 P.E.
for State Engineer